

Remarks

Claims 11-13 have been amended.

The Examiner has rejected applicant's claims 2, 3, 5-7 and 11-14 under 35 USC 103(a) as being unpatentable over the Fawcett, et al. (US 5,678,002) patent taken in view of the Phung, et al. reference (US Published Patent Application No. 2002/0007237). The Examiner has also rejected applicant's claim 4 under 35 USC 103(a) as being unpatentable over the Fawcett, et al. patent in view of the Skaaning, et al. (US 6,535,865) patent. With respect to applicant's claims, as amended, the Examiner's rejections are respectfully traversed.

Applicant's added independent claims 11-13 have been amended to better define applicant's invention. More particularly, applicant's independent claim 11 recites a trouble management system comprising: first receiving means for receiving, through a network, from a customer apparatus connected to a printer, trouble information of the printer; first determining means for determining whether or not an inquiry is necessary, based on the contents of the trouble information received by said first receiving means; second determining means for determining whether each of the customer apparatus and the printer has automatic diagnosis functions; transmitting means for transmitting the inquiry item relating to the printer to said customer apparatus, if said first determining means determines that the inquiry is necessary and if said second determining means determines that none of the customer apparatus and the printer have the automatic diagnosis functions; second receiving means for receiving, from said customer apparatus, a response which is input to said customer apparatus on the basis of the inquiry item transmitted by said transmitting means; and diagnosing means for diagnosing the printer, in accordance with the response received by said second receiving means.

Applicant's independent claims 12 and 13 define a method and a storing medium for storing a program having similar features as independent claim 11 and have been similarly amended.

In applicant's invention as defined by applicant's amended claims, there is received through a network from a customer apparatus connected to a printer, trouble information of the printer. There is also a first determining of whether or not an inquiry is necessary based on the contents of the trouble information received. A second determining is then made to determine whether each of the customer apparatus and the printer has automatic diagnostic functions. (see, e.g., FIG. 11, steps 1101-1103). A transmitting of the inquiry item relating to the printer to the customer apparatus is the made, if in the first determining the inquiry is determined to be necessary and if the second determining it is determined that none of the customer apparatus and the printer have the automatic diagnosis functions. A second receiving of a response from the customer apparatus is then received, the response being input to the customer apparatus based on the transmitted inquiry. Finally, the printer is diagnosed in accordance with the response received.

The above-described features of the present invention are not taught or suggested by the Fawcett, et al., Phung, et al. and Skaaning, et al. references. In particular, the Examiner argues that "Fawcett et al disclose a remote diagnostic agent 50 on the customer computer 40 can execute a resident diagnostic application and query, receive and update information about an attached printer (column 10, lines 28-32)." It is noted that while lines 28-32 in column 10 of the Fawcett, et al. patent have been cited by the Examiner for this teaching, the teaching is in fact set forth in lines 37-38 of this column.

In any case, as acknowledged by the Examiner, the diagnostic agent 50 is at the customer

computer and while it returns results to the PSS, and there is no teaching or suggestion in the Fawcett, et al. patent that the PSS receive through a network from a customer apparatus connected to a printer, trouble information of the printer, and that the PSS then conduct a first determining of whether or not an inquiry is necessary based on the contents of the trouble information received. This is also evident from column 13, lines 13-36 of the Fawcett, et al. patent which under the heading “Printer Properties Diagnostic” describe how the PSS retrieves printer information from printers connected to a customer’s computer, but make no mention of such first determining.

Moreover, there is clearly no teaching or suggestion in the Fawcett, et al. patent of a second determining to determine whether each of the customer apparatus and the printer has automatic diagnostic functions. Nor is there or can there be a transmitting of the inquiry item relating to the printer to the customer apparatus, if in the first determining the inquiry is determined to be necessary and if the second determining it is determined that none of the customer apparatus and the printer have the automatic diagnosis functions.

The Fawcett, et al. patent, therefore, clearly does not teach or suggest the features of applicant’s amended claims 11-13, and their respective dependent claims. Moreover, the Examiner states that in “Phung, et al. a trouble tree diagnostic routine guides the user to identify possible repair checks and actions (i.e., determination and transmission of an inquiry, ¶ 0048), wherein the system consists of a symptoms search (i.e., inquiry) and a customized diagnostic (¶0049)” and further that “Phung et al disclose a call routine invoked to get diagnostic data from a vehicle system (i.e., receiving, from said customer apparatus, a response, ¶ 0052) . . . and a vehicle interface system (i.e., customer apparatus) that communicates with the vehicle

system 400 (i.e., product) . . .” However, these teachings of the Phung, et al. reference would not lead in the Fawcett, et al. patent to the PSS receiving through a network from a customer apparatus connected to a printer, trouble information of the printer, and the PSS then conducting a first determining of whether or not an inquiry is necessary based on the contents of the trouble information. Moreover, the Phung, et al. reference, like the Fawcett, et al. patent, is devoid of any teaching or suggestion of a second determining to determine whether each of the customer apparatus and the printer has automatic diagnostic functions, nor is there or can there be any teaching or suggestion of transmitting of the inquiry item relating to the printer to the customer apparatus, if in the first determining the inquiry is determined to be necessary and if the second determining it is determined that none of the customer apparatus and the printer have the automatic diagnosis functions.

The Fawcett, et al. patent and the Phung, et al. reference therefore fail to teach or suggest applicant’s invention of amended claims 11-13, and their respective dependent claims. The Skaaning, et al. reference which was cited for estimating costs fails to add anything to the Fawcett, et al. patent and the Phung, et al. reference to change this conclusion.

Applicant’s note further that applicant’s amended claims now recite in the body of the claims a network and, and therefore, that the Examiner must now consider this recitation and not merely dismiss it by arguing that it is in the preamble of the claim. Applicant therefore incorporates by reference applicant’s arguments made in the first paragraph of page 9 of the previous Amendment to further distinguish the claims from the cited art.

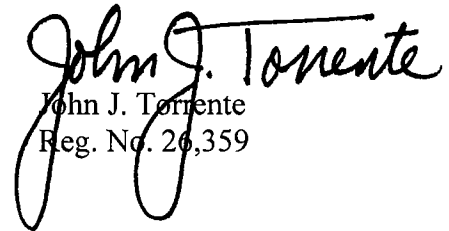
In view of the above, it is submitted that applicant’s claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully

requested.

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Respectfully submitted,


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